

**Community Planning**

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Woodstock Ontario N4S 7Y3

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Web site: [www.oxfordcounty.ca](http://www.oxfordcounty.ca)

Our File: **MV14-24**

**APPLICATION FOR MINOR VARIANCE**

**TO:** City of Woodstock Committee of Adjustment

**MEETING:** September 16, 2024

**REPORT NUMBER:** CP 2024-260

**OWNER:** Amer Cengic  
35 Harwood Street, Innerkip ON N0J 1M0

**AGENT:** Denis Brolese  
709-505 Finkle Street, Woodstock ON N4V 0B4

**VARIANCES REQUESTED:**

1. Relief from **Section 8.2, Table 8.2 – Zone Provisions for Converted Dwelling House, Lot Area**, to reduce the minimum required lot area from 540 m<sup>2</sup> (5,812.7 ft<sup>2</sup>) to 462 m<sup>2</sup> (4,973.1 ft<sup>2</sup>);
2. Relief from **Section 8.2, Table 8.2 – Zone Provisions for Converted Dwelling House, Lot Frontage**, to reduce the minimum required lot frontage from 18 m (59.1 ft) to 11 m (36.1 ft);
3. Relief from **Section 8.2, Table 8.2 – Zone Provisions for Converted Dwelling House, Interior side yard width**, to reduce the minimum required interior side yard width from 3 m (9.8 ft) to 0.8 m (2.6 ft) on the north side of the subject lands; and
4. Relief from **Section 8.2, Table 8.2 – Zone Provisions for Converted Dwelling House, Front Yard Depth**, to reduce the minimum required front yard depth from 6 m (19.7 ft) to 2.4 m (7.9 ft) to permit a four unit converted dwelling house.

**LOCATION:**

The subject lands are described as Part of Lot 2 E/S Bay Street Plan 34 as in 457619, in the City of Woodstock. The lands are located on the east side of Bay Street lying between Dundas Street and Peel Street and are municipally known as 17 and 19 Bay Street.

**BACKGROUND INFORMATION:**

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "W-1"	City of Woodstock Land Use Plan	Central Area
Schedule "W-2"	City of Woodstock Residential Density Plan	Central Business District

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

Existing Zoning: 'Central Commercial (C5)'

SURROUNDING USES:

Predominately commercial with low density residential located further south on Bay Street.

**COMMENTS:**

(a) Purpose of the Application:

The applicant is proposing relief from the above-noted provisions of the City's Zoning By-law to facilitate the conversion of an existing structure containing two dwelling units to permit a converted dwelling unit containing four dwelling units. Minor variances are required to recognize the existing conditions of the subject lands, including lot area, lot frontage, interior side yard width and front yard depth. These variances are related to the existing lot area and structure on the subject lands, and no expansion of the existing structure is proposed.

The subject property is approximately 462 m<sup>2</sup> (4,973.1 ft<sup>2</sup>) in area with frontage of approximately 11 m (36.1 ft) and contains an existing semi-detached dwelling. The semi-detached dwelling is proposed to be converted into a four unit converted dwelling.

Plate 1, Location Map with Existing Zoning, shows the location of the subject lands and the current zoning in the immediate vicinity.

Plate 2, Aerial Map (2020), shows the location of the subject lands and surrounding properties.

Plate 3, Applicant's Sketch, shows the subject lands and existing structure.

(b) Agency Comments

The City of Woodstock Engineering Department (Building Division) provided the following comments:

We have no concerns with the relief that is requested as the applicant is converting the existing dwelling house into 4 units and the zone provisions are currently legal non-conforming.

Providing parking spaces is not required as the requirement is nil (Schedule D).

(c) Public Consultation

Public Notice was providing to surrounding property owners in accordance with the provisions of the *Planning Act*. At the time of writing this report, no comments or concerns had been received from the public.

(d) Intent and Purpose of the Official Plan:

The subject lands are currently designated 'Central Business District' according to the Land Use Plan for the City of Woodstock in the County Official Plan. The Central Business District in Woodstock is intended to be the most intensive, functionally diverse and dominant business, cultural and administrative centre in the County and the full range of commercial, entertainment, recreation, institutional and open space and accessory residential uses are permitted. Within the Central Business District, medium and high density residential development is generally permitted without the requirement to provide a commercial component with the exception of a portion of Dundas Street.

Further, the Official Plan's Central Area Strategy includes policies to increase the residential population living within and in the vicinity of the Central Area. These policies specifically encourage medium and high density residential development throughout the Central Business District.

Planning staff are satisfied that the development of a four unit converted dwelling is in keeping with the policy direction of the 'Central Business District' designation in the Official Plan.

(e) Intent and Purpose of the Zoning By-law:

The subject property is zoned 'Central Commercial (C5)' which permits several residential and non-residential uses, including a converted dwelling. The application does not propose to enlarge the footprint of the existing structure, and the requested variances are consistent with the longstanding location of the existing structure.

The zone provisions for a converted dwelling require a minimum lot area of 540 m<sup>2</sup> (5,812.7 ft<sup>2</sup>), and the subject lands are 462 m<sup>2</sup> (4,973.1 ft<sup>2</sup>). The intent of the minimum lot area provision is to ensure that sufficient space is provided to maintain a sufficient building envelope and adequate space for setbacks, drainage and amenity spaces. The structure on the subject lands was originally built around 1890, and no issues regarding drainage has been identified. Further, the existing rear yard appears to be in excess of 20 m (66 ft), providing ample space for amenity purposes.

The zone provisions for a converted dwelling require a minimum lot frontage of 18 m (59.1 ft), and the subject lands have a frontage of 11 m (36.1 ft). The intent of the minimum lot frontage provision is to ensure that sufficient space is provided to maintain a sufficient building envelope and adequate space for setbacks and off-street parking. In addition to the longstanding existence of the structure, this development in this location is not required to provide off-street parking due to the pedestrian-oriented nature of the Central Area.

The zone provisions for a converted dwelling require a minimum interior side yard width of 3 m (9.8 ft), and the subject lands have a side yard width of 0.8 m (2.6 ft) on the northern property line. The intent of the minimum interior side yard width provision is to ensure that sufficient space is provided for drainage, access and normal maintenance of the structure. This deficiency is associated with the existing structure, and there appears to be sufficient space for access and maintenance on the southern property line.

The zone provisions for a converted dwelling require a minimum front yard depth of 6 m (19.7 ft), and the subject lands have a front yard depth of 2.4 m (7.9 ft). The intent of the minimum front yard depth provision is to ensure that sufficient space is provided for safely set the structure back from the City's right-of-way, to provide opportunities for off-street parking and to provide space for snow storage from driveways. This deficiency is associated with the existing structure, and no parking is required with the associated development.

Planning staff are generally satisfied that approval of the applicant's request will not negatively impact surrounding land uses.

(f) Desirable Development/Use:

It is the opinion of this Office that the proposed relief from the lot coverage provisions of the Zoning By-law can be considered minor and desirable for the development of the lands and the neighbourhood in general.

The applicant's proposal to increase the number of units within an existing structure can be considered a minor variance from the provisions of the City's Zoning By-law. As no additional space is required for parking purposes due to the parking exemptions in the Zoning By-Law for properties in the Central Area, staff are generally satisfied that the request will facilitate the creation of a four unit converted dwelling that is desirable development of the subject lands. Further, staff are of the opinion that the proposed development will have minimal impact on surrounding land uses and will not compromise the ability of the lands to provide adequate drainage, privacy and amenity space.

It is the opinion of this Office that the requested relief maintains the general intent of the Official Plan and the Zoning By-law and can be given favorable consideration.

**RECOMMENDATION:**

That the City of Woodstock Committee of Adjustment **approve** Application File MV 14-24, submitted by Amer Cengic for lands described as Part of Lot 2 E/S Bay Street Plan 34 as in 457619 in the City of Woodstock as it relates to:

1. Relief from **Section 8.2, Table 8.2 – Zone Provisions for Converted Dwelling House, Lot Area**, to reduce the minimum required lot area from 540 m<sup>2</sup> (5,812.7 ft<sup>2</sup>) to 462 m<sup>2</sup> (4,973.1 ft<sup>2</sup>);
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The requested variances meet the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

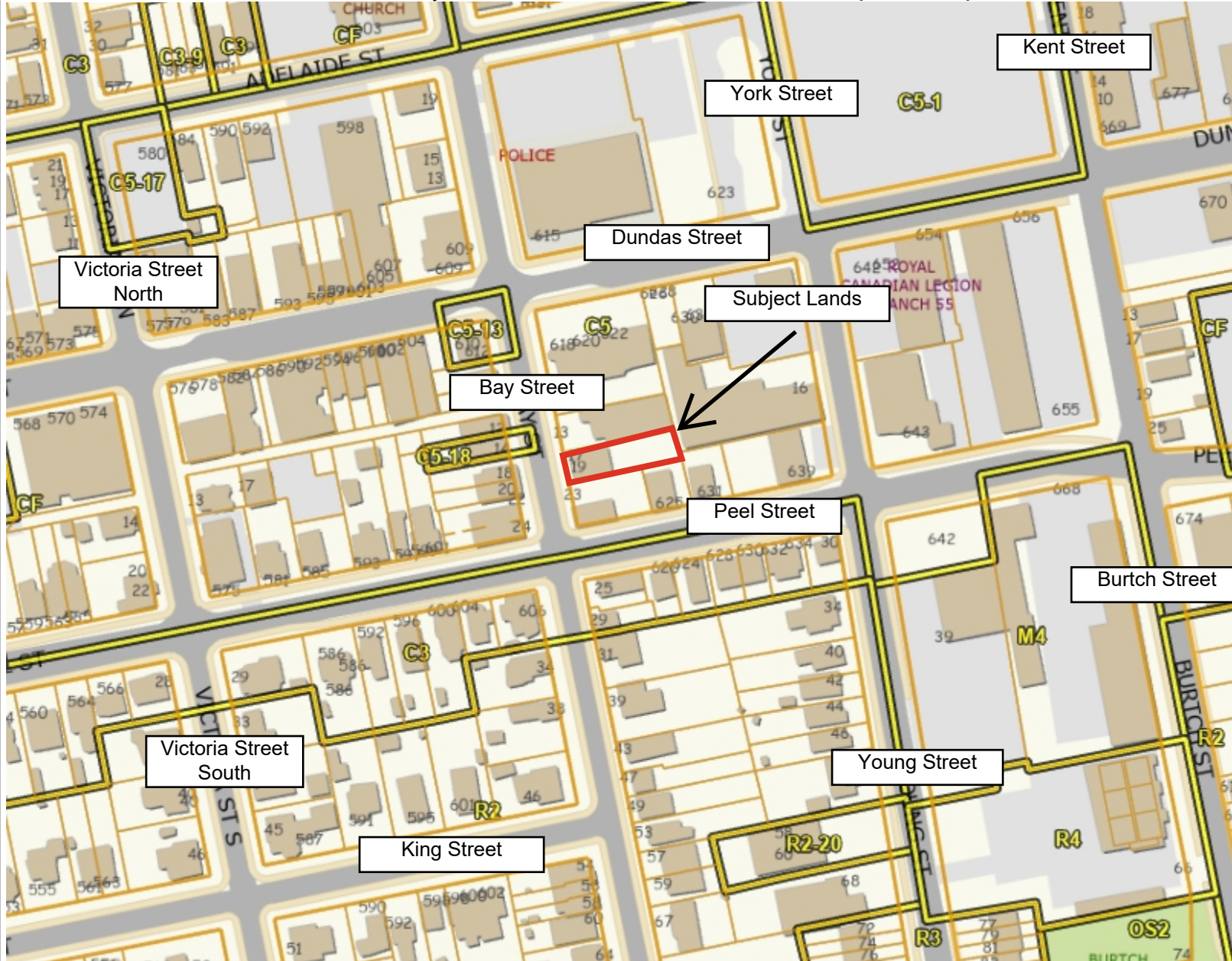
1. The proposed relief represents minor variances from the provisions of the City's Zoning By-law in that the reduced zone provisions are related to an existing structure that was built in 1890 and will not impact neighbouring properties, is compatible with surrounding land uses, is minor and is desirable for the development of the lands.
2. The proposed relief maintains the general intent and purpose of the City's Zoning By-law, and no negative impacts are anticipated associated the reduced zone provisions.
3. The relief is desirable for the use of the land as the said relief will allow for development that is permitted by the Zoning By-law, the use is compatible with planned development and is complimentary to proposed development in the area.
4. The relief maintains the intent and purpose of the Official Plan as the proposed relief will facilitate development that is contemplated within the Low Density Residential designation.

Authored by:

Justin Miller  
Development Planner

Reviewed by:

Eric Gilbert, RPP, MCIP  
Manager of Development Planning



**Legend**

- Parcel Lines**
  - Property Boundary
  - Assessment Boundary
  - Unit
  - Road
  - Municipal Boundary
- Zoning Floodlines**
- Regulation Limit**
  - 100 Year Flood Line
  - 30 Metre Setback
  - Conservation Authority Regulation Limit
  - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

**Notes**



0 55 109 Meters

NAD\_1983\_UTM\_Zone\_17N



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July 22, 2024

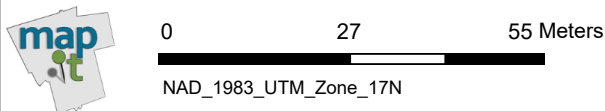




**Legend**

- Parcel Lines**
  - Property Boundary
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- Zoning Floodlines Regulation Limit**
  - ◆ 100 Year Flood Line
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**Notes**



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